



U.S. Department of Justice

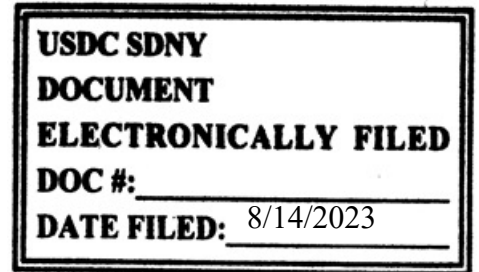
United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

August 10, 2023

BY ECF

Hon. Katharine H. Parker
United States Magistrate Judge
United States Courthouse, 500 Pearl St.
New York, New York 10007



Re: *United States v. Anthem, Inc.*, 20 Civ. 2593 (ALC) (KHP)

Dear Judge Parker:

As discussed at our most recent discovery conference, we write respectfully to request a brief adjournment of our upcoming discovery conference from August 22, 2023, to any date during the week of September 11, 2023.¹ We also respectfully request that the date to submit position statements on the issue raised in defendant Anthem, Inc.'s July 28, 2023 letter be extended until one week prior to that conference. *See* Dkt. Nos. 115-16. Anthem does not consent to our request to adjourn the conference but is available during the week of September 11, 2023.

The purpose of this brief adjournment is to accommodate the planned vacations of several members of our litigation team during the weeks of August 21st and August 28th, including the principal team members who have been working to address the topics identified in Anthem's July 28 letter. We believe that our next discovery conference will be most productive if the Court has the benefit of hearing from the attorneys most familiar with those issues. Further, we do not anticipate that our request for a brief adjournment will have any impact on the progression of discovery—we intend to continue to meet-and-confer with Anthem to address the topics from their July 28 letter; we anticipate producing hundreds of thousands of pages of additional documents to Anthem in the coming weeks; and we plan to continue working with Anthem on the Government's discovery requests in the hopes that Anthem will make productions beyond the two documents it has produced since discovery commenced.

¹ There is currently another discovery conference scheduled in this matter for September 19, 2023. The Government would be happy to appear for two conferences in September, if the Court wishes. If the Court prefers, however, the Government is also agreeable to either: (1) adjourning the September 19 conference in favor of a single appearance in September on one of the dates proposed herein, or (2) simply holding one conference next month on September 19.

Anthem has informed us that it is “not willing to consent to moving the status conference any later than the first week of September.”² They have further informed us that they intend to respond to this letter under separate cover.

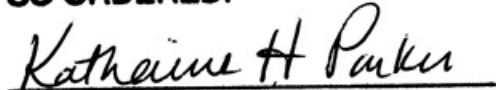
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We thank the Court for its consideration of this request.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

SO ORDERED:



HON. KATHARINE H. PARKER
UNITED STATES MAGISTRATE JUDGE 8/14/2023

The case management conference scheduled for August 22, 2023 is adjourned.

However, the request to adjourn the deadline to submit position statements to a week before the next conference is denied. The parties shall file their position statements on the discovery issue by **August 21, 2023**.

By: /s/ Zachary Bannon
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² The Government proposed September 7th or 8th as potential dates for a conference, but counsel for Anthem is not available on those dates. The Government had also proposed August 30th as a potential date, but withdrew that suggestion upon realization that a senior team member with responsibility for coordinating a response to Anthem’s July 28 letter would not be available until the following week.